

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CARLA CARVALHO,

Plaintiff,

**CASE NO.: 07 CV 3154 (DLC)**

- against -

PIZZA HUT OF AMERICA, INC., and  
TARGET CORPORATION,

Defendants  
-----X

PURSUANT TO RULE 7.1 OF THE GENERAL RULES OF THE US DISTRICT COURT FOR THE SOUTHERN AND EASTERN DISTRICTS OF NEW YORK AND TO ENABLE JUDGES AND MAGISTRATE JUDGES OF THE COURT TO EVALUATE POSSIBLE DISQUALIFICATION OR RECUSAL, THE UNDERSIGNED COUNSEL FOR **PIZZA HUT OF AMERICA, INC.** (A PRIVATE NON-GOVERNMENTAL PARTY) CERTIFIES THAT THE FOLLOWING ARE CORPORATE PARENTS, AFFILIATES AND/OR SUBSIDIARIES OF SAID PARTY WHICH ARE PUBLICLY HELD.

PIZZA HUT OF AMERICA, INC. is a wholly owned subsidiary of PIZZA HUT OF AMERICA, INC. PIZZA HUT OF AMERICA, INC., is a wholly owned subsidiary of YUM! Brands, Inc. YUM! Brands, Inc. is a PUBLICLY HELD COMPANY.

Date: Staten Island, New York  
May 16, 2007

  
JOHN P. CONNORS, JR., (6514)

FOR SDNY-9

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CARLA CARVALHO,

Plaintiff,

- against -

**VERIFIED ANSWER**

**07 CV 3154 (DLC)**

PIZZA HUT OF AMERICA, INC., and  
TARGET CORPORATION,

Defendants.  
-----X

S I R S :

PLEASE TAKE NOTICE, that the defendant, **PIZZA HUT OF AMERICA, INC.**, by its attorneys, CONNORS & CONNORS, P.C., answering the Summons and Verified Complaint herein, states as follows:

FIRST: Denies any knowledge or information thereof sufficient to form a belief as to each and every allegations of the complaint set forth in paragraph FIRST.

SECOND: Admits each and every allegation of the complaint set forth in paragraphs SECOND, THIRD, EIGHTH, NINTH, TENTH and ELEVENTH.

THIRD: Denies each and every allegation of the complaint set forth in paragraphs FOURTH, FIFTH, SIXTH, SEVENTH, THIRTEENTH, FOURTEENTH, FIFTEENTH and SIXTEENTH.

FOURTH: Denies each and every allegation of the complaint set forth in paragraph TWELFTH to the extent that the "TWELFTH" paragraph contains a conclusion of law which is referred to the Court.

PLEASE TAKE FURTHER NOTICE, that the following affirmative defenses are set forth as follows:

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

The personal injuries alleged to have been sustained by the plaintiff was caused in whole or in part as a result of the culpable conduct attributable to the plaintiff, including, but not limited to, plaintiff's contributory negligence and/or assumption of the risk, and the defendant, **PIZZA HUT OF AMERICA, INC.**, seeks a reduction of any recovery had by the plaintiff in the proportion which the culpable conduct attributable to the plaintiff bears to the culpable conduct which caused the damages.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

Upon information and belief, plaintiff's economic loss, if any, as specified in Section 4545 of the CPLR, was or will be replaced or indemnified, in whole or in part, from collateral sources, and this answering defendant is entitled to have the court consider the same in determining such special damages as provided in Section 4545 of the CPLR.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

Pursuant to 28 USC §1404 Target will request a change of venue.

Dated: Staten Island, New York  
May 16, 2007

CONNORS & CONNORS, P.C.

  
JOHN P. CONNORS, JR. (6514)

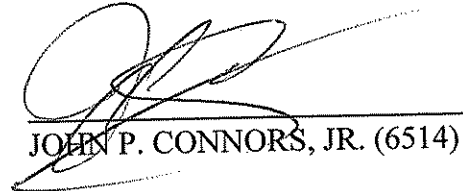
Attorneys for **Defendant**,  
**PIZZA HUT OF AMERICA, INC.**

766 Castleton Avenue  
Staten Island, NY 10310  
(718) 442-1700  
File No. DTS 23454

TO: DAVIDSON & COHEN, P.C.  
Attorney for **Plaintiff**  
265 Sunrise Highway  
Rockville Centre, New York 11570  
(516) 763-6700

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **VERIFIED ANSWER** was mailed by first class mail, postage prepaid this 22nd day of May, 2007, to all counsel of record as indicated below.



JOHN P. CONNORS, JR. (6514)

TO: DAVIDSON & COHEN, P.C.  
Attorney for **Plaintiff**  
265 Sunrise Highway  
Rockville Centre, New York 11570  
(516) 763-6700

Index No. 07 CV 3154

RJI No.

Hon.

UNITED STATES DISTRICT COURT  
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CARLA CARVALHO,

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-against-

PIZZA HUT OF AMERICA, INC., and  
TARGET CORPORATION,

Defendants.

ANSWER

**CONNORS & CONNORS, P.C.**

*Attorneys for* DEFENDANT,  
**PIZZA HUT OF AMERICA, INC.**  
*Office and Post Office Address, Telephone*  
766 Castleton Avenue  
Staten Island, New York 10310  
(718) 442-1700 PHONE  
(718) 442-1717 FAX

To

Signature (Rule 130-1.1-a)

Print name beneath

JOHN P. CONNORS, JR.

Attorney(s) for

Service of a copy of the within

is hereby admitted,

Dated,

Attorney(s) for

Please take notice

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
settlement to the HON.  
of the within named court, at  
on

of which the within is a true copy will be presented for  
one of the judges

at

Dated,

Yours, etc.

**CONNORS & CONNORS, P.C.**

*Attorneys for*

To

Attorney(s) for

*Office and Post Office Address*  
766 CASTLETON AVENUE  
STATEN ISLAND, NEW YORK 10310